

Outreach Statement Concerning Public Hearing on Marihuana Opt-Out

Earlier this year, the New York State Legislature enacted a law legalizing adult-use marihuana in New York. The legislation is comprehensive, and touches on all aspects of the cultivation, sale, possession, and taxation of marihuana. Importantly, it also establishes state-level bodies to regulate the licensure of several types of marihuana businesses, including retail dispensaries (places where Marihuana will be sold) and on-site consumption businesses (marihuana smoking lounges).

By default, the law allows retail dispensaries and on-site consumption businesses in all municipalities. However, it provides a short window for municipalities to decide whether to opt-out of allowing retail dispensaries or onsite consumption businesses (or both) within their borders. Municipalities may introduce a local law seeking to opt-out, and must then hold a public hearing to solicit public input. Following the public hearing, municipalities may adopt the local law, subject to a 45-day permissive referendum period. During that period, residents of the municipality may sign a petition challenging the local law and asking for a public vote on whether the local law should take effect. Any such local law must be adopted no later than December 31, 2021.

On October 27th, a member of the Irondequoit Town Board introduced a proposed local law to opt-out of retail dispensaries and on-site consumption businesses within the Town of Irondequoit. The local law is scheduled for a public hearing on November 9, 2021, at 7:35 p.m. at Irondequoit Town Hall, 1280 Titus Avenue, in the Broderick Room. At the public hearing, members of the public may be heard in support of, or in opposition to, adopting a local law opting-out of allowing marihuana retail dispensaries, or on-site consumption businesses, or both types of businesses, within the Town of Irondequoit.